

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Samy Ashkar

Serial No: 08/918,189

Art Unit: 1653

Filed: August 21, 1997

Examiner: J. Lukton

For: **"NOVEL OSTEOPONTIN DERIVED CHEMOTACTIC PEPTIDES AND METHODS OF USE"**

Assistant Commissioner  
for Patents  
Washington, D. C. 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
AND REVOCATION OF PRIOR POWERS**

Sir:

As owner of the entire interest of the above-identified patent application, all powers of attorney previously given are hereby revoked and the following attorneys and agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Patrea L. Pabst  
Zhaoyang Li  
Rivka Monheit  
Yang Xu

Registration No. 31,284  
Registration No. 46,872  
Registration No. 48,731  
Registration No. 45,243

Please send all correspondence relating to the above-identified patent application to:

Patrea L. Pabst  
HOLLAND & KNIGHT LLP  
One Atlantic Center  
1201 West Peachtree Street, Suite 2000  
Atlanta, Georgia 30309-3400

(404) 817-8473 - Telephone  
(404) 817-8588 - Telefax

BEST AVAILABLE COPY

The undersigned signatory (whose title is supplied below) is empowered to act on behalf of the assignee identified below, and has reviewed all the documents in the chain of title of the patent application and, to the best of undersigned's knowledge and belief, title is in the assignee.

CHILDREN'S MEDICAL CENTER CORPORATION

By: Donald P. Lombardi

Name: \_\_\_\_\_

Title: DONALD P. LOMBARDI  
Chief Intellectual Property Officer

Date: 12/13/01

13 December 2001

ATL1 #498476 v1

BEST AVAILABLE COPY

# BEST AVAILABLE COPY

PTO/SB/88 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Sammy Ashkar

Application No./Patent No.: 08/918,189

Filed/Issue Date: August 21, 1997

Entitled: Novel Osteopontin Derived Chemotactic Peptides and Methods of Use

Children's Medical Center Corporation, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 8969, Frame 0830, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

- [ ] Copies of assignments or other documents in the chain of title are attached.  
(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

13 December 2001  
Date

Typed or printed name

Donald R. Lombardi  
Signature

**DONALD R. LOMBARDI**

Chief Intellectual Property Officer

Burdan Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

078856100040

Customer Number: 000959

Attorney's  
Docket  
Number CME-086CP

Declaration, Petition and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NOVEL OSTEOPONTIN DERIVED CHEMOTACTIC PEPTIDES AND METHODS OF USE

the specification of which

(check one)

   is attached hereto.

X was filed on August 21, 1997 as

Application Serial No. 08/918,189

and was amended on \_\_\_\_\_  
(if applicable)

I do not know and do not believe that the subject matter of this application was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an issued inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

## PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
			_ Yes      No _
			_ Yes      No _
			_ Yes      No _
			_ Yes      No _
			_ Yes      No _

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION


CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/023,427

(Application Serial No.)

August 22, 1996

(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

## CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier United States application, if any, described below, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States more than one year prior to said earlier application, that the said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months prior to said application and that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented,pending,aband.)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented,pending,aband.)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

W. Hugo Liepmann	Reg. No. 20,407	Jane E. Remillard	Reg. No. 38,872
James E. Cockfield	Reg. No. 19,162	Mark A. Kurisko	Reg. No. 38,944
Thomas V. Smurzynski	Reg. No. 24,798	Jean M. Silveri	Reg. No. 39,030
Ralph A. Loren	Reg. No. 29,325	Jeremiah Lynch	Reg. No. 17,425
Thomas J. Engellenner	Reg. No. 28,711	Lawrence E. Monks	Reg. No. 34,224
Giulio A. DeConti, Jr.	Reg. No. 31,503	David A. Lane	Reg. No. 39,261
Ann Lampert Hammitte	Reg. No. 34,858	Catherine J. Kara	Reg. No. 41,106
Paul Louis Myers	Reg. No. 35,965	Peter J. Rainville	Reg. No. 41,263
Elizabeth A. Hanley	Reg. No. 33,505	Mark D. Russett	Reg. No. 41,281
Michael I. Falkoff	Reg. No. 30,833	Scott D. Rothenberger	Reg. No. 41,277
John V. Bianco	Reg. No. 36,748	Thomas P. Grodt	Reg. No. 41,045
Amy E. Mandragouras	Reg. No. 36,207	Linda M. Chinn	Reg. No. 31,240
Anthony A. Laurentano	Reg. No. 38,220		

Send Correspondence to Elizabeth A. Hanley, Esq. at **Customer Number: 000959** whose address is:

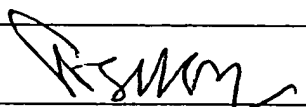
Lahive & Cockfield, LLP, 28 State Street, Boston, MA 02109

Direct Telephone Calls to: (name and telephone number)

Elizabeth A. Hanley, Esq., (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	
Samy Ashkar	
Inventor's signature	Date
	1/29/98
Residence	
12 Stoneholm Street, Apt. 606, Boston, Massachusetts, 02115	
Citizenship	
Lebanese/U.S. Permanent Resident	
Post Office Address (if different)	



Full name of second inventor, if any	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address (if different)	

Full name of third inventor, if any	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address (if different)	

Full name of fourth inventor, if any	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address (if different)	